

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| First Named Inventor : | Daniel L. GASPER | |
| Appln. No. : | <i>To be assigned</i> | |
| Filed : | <i>Herewith</i> | Group Art Unit : <i>To be assigned</i> |
| Title : | Sport Equipment Rack | Examiner : <i>To be assigned</i> |

**DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION
(37 C.F.R. § 1.63)**

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

SPORT EQUIPMENT RACK

the specification of which:

- ☒ is attached hereto OR
☐ was filed on _____ as United States Application No. _____ or PCT International Application No. _____ (Docket No. 33751/US/RBC/VEJ; Matter No. 463036-00042) and as the application was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

PRIOR FOREIGN APPLICATION(S)

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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PRIOR PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |
|-----------------------|--------------------------|
| | |

POWER OF ATTORNEY

I hereby appoint the Dorsey & Whitney LLP attorneys and agents associated with **Customer Number 32940** to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution, and revocation.

PLEASE DIRECT ALL CORRESPONDENCE TO:

The address associated with **Customer Number: 32940**, currently:

| | |
|-----------|---|
| Name | Robert B. Chickering |
| Address | DORSEY & WHITNEY LLP Four Embarcadero Center Suite 3400 San Francisco, California 94111-4187 |
| Telephone | (415) 781-1989 |
| Fax | (415) 398-3249 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|----------------------------------|---|------------------------|
| Sole or First Inventor: | Given Name (first and middle [if any]) | Family Name or Surname |
| Name | Daniel L. | GASPER |
| Inventor's Signature | <i>Daniel L. Gasper</i> | |
| Date | 1-12-2004 | |
| Residence (City, State, Country) | Merced, California | |
| Citizenship | United States | |
| Post Office Address | c/o Malibu Boats West, Inc. One Malibu Court Merced, California 95340 | |

| | | |
|----------------------------------|---|------------------------|
| Second Inventor: | Given Name (first and middle [if any]) | Family Name or Surname |
| Name | | |
| Inventor's Signature | | |
| Date | | |
| Residence (City, State, Country) | | |
| Citizenship | United States | |
| Post Office Address | c/o Malibu Boats West, Inc. One Malibu Court Merced, California 95340 | |

POWER OF ATTORNEY BY ASSIGNEE

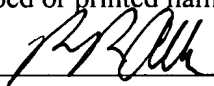
The undersigned assignee of the entire interest in application for letters patent entitled: *SPORT EQUIPMENT RACK* and having the named inventor Daniel L. GASPER, U.S. Patent Application No. *To Be Assigned* filed on *To Be Assigned* hereby appoints the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71: Aldo J. Test, Reg. No. 18,048; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Michael A. Kaufman, Reg. No. 32,988; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 35,050; Robin M. Silva, Reg. No. 38,304; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; Ann Pease, Reg. No. 42,067; and Victor E. Johnson, Reg. No. 41,546; provided that if any one of said attorneys or agents ceases being affiliated with the law firm of DORSEY & WHITNEY LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR § 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to Robert B. Chickering at (415) 781-1989.

Address all correspondence to:

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|----------------------|--|
| Assignee: | Malibu Boats West, Inc. |
| Date: <u>1-12-04</u> | By: <u>ROBERT R. ALKEMA</u> (typed or printed name) |
| | Signature: <u></u> |
| | Title: <u>PRESIDENT</u> |
| | Address: One Malibu Court Merced, California 95340 |